

elongated portion of said outer element, said intermediate element including means for receipt of at least a portion of said inner element, thereby securing said outer and said inner element together;

means for securing the outer element, said intermediate element and said inner element into a rough door opening.

Applicants request reconsideration and favorable action in view of the aforementioned amendments and the following discussion.

REJECTION UNDER 35 USC 112

The Claims were rejected under 35 USC 112. The claims have been amended to overcome the rejections under Section 112. Claim 1 was rejected on the basis that the use of the term "structure" and "structural" was confusing. Claim 1 has been amended to avoid the use of these terms. Claim 7 was rejected on the basis of the language used to describe the insertion function of the apparatus. Applicant has amended the claim to use the language suggested by the examiner. Claim 11 was rejected on the basis of the language used to describe the relationship between the second element and the intermediate element. Claim 11 has been amended to further clarify this relationship. Applicant has adopted the language suggested by the examiner in Claim 11. Claim 14 was rejected on the basis of the term "third portion." Claim 14 has been amended to obviate the rejection. Claims 12 and 17 were rejected as not clearly defining the boundaries of the term "track." Claims 12 and 17 have been amended to further define the term "track." Applicants submit that the claims have been amended to obviate the rejections under Section 112 and respectfully request that such rejection be withdrawn.

REJECTION UNDER 35USC102

Claim 12 was rejected under 35 USC102(b) as anticipated by Kiselewski. Applicants request reconsideration and favorable action in view of the following.

U. S. Patent No. 3,788,019 (Kiselewski) discloses an adjustable metal door frame that includes a plurality of component pieces. Two of the pieces are held together by a clip 18. The clip 18 engages the two pieces through a single opening in the clip 18, much like a paper clip operates. Kiselewski does not teach the intermediate element of the claims defining Applicants' invention. In particular Kiselewski fails to teach Applicants' invention as set forth in Claim 12:

said third element defining track means, said track means including a first portion facing said first element and a second portion facing said second element, a portion of said first element and a portion of said second element being disposed in at least a portion of said track means and set to provide the selected width for the respective door jamb.

REJECTION UNDER 35USC103

Claims 1-11 were rejected under 35USC103 over Eisenring and Adams. Applicants submit that claims 1-11 are patentable over Eisenring and Adams. Reconsideration and favorable action is respectfully requested.

Eisenring discloses a steel component door case having two frame components each of which are an L-shaped sheet of steel, see drawing numbers 1 and 2. One leg of the L-shaped sheets of steel extends into an H-shaped polyvinyl chloride connecting component 6.

U. S. Patent No. 5,787,660 (Adams) discloses an extruded vinyl door jamb assembly including an outer member and an inner member. The members 11 and 12 are extruded essentially L-shaped sheets of vinyl. The member 12 projects into a small pocket in member 11 and the members are thereby secured together. There is no teaching that Eisenring and Adams

can or should be combined.

Eisenring and Adams fail to teach the present invention as defined in Claims 1-11. The present invention provides a door jamb including an outer element, an inner element and an intermediate element. The outer element is a tubular structure including an elongated portion that extends into a cavity in the intermediate element. The inner element extends into a second cavity in the intermediate element. The inner element aligns with the surface of the inner wall of the building in which the jamb is placed. This alignment permits placement of trim or molding along the inner edge of the inner element and the wall. Eisenring and Adams, individually and collectively fail to teach such structure.

Eisenring and Adams fail to teach "... said outer element comprising an elongated tubular structure including an outer portion and an elongated portion, said elongated portion including walls defining a cavity. . . ." See claim 1.

Eisenring and Adams fail to teach "... said inner element being an elongated portion having an inner exposed surface adapted for alignment with the surface of the inner wall of the residence in which the door jamb is mounted" See claim 1.

Eisenring and Adams fail to teach "... said intermediate element is S-shaped in cross section" See Claims 2 and 3.

Eisenring and Adams fail to teach "... said outer element includes means for engaging said securing means of said intermediate element to lock said outer element and said intermediate element together." See Claim 4.

Eisenring and Adams fail to teach "... said outer element comprises an extruded tubular element." See Claim 5.

Eisenring and Adams fail to teach ". . . said intermediate element comprises an extruded element." See Claim 6.

Eisenring and Adams fail to teach ". . . said first element comprising an elongated tubular structure including a decorative portion and a structural portion. See Claim 7.

Eisenring and Adams fail to teach ". . . said second element being an elongated tubular structure having an exposed surface adapted for alignment with the surface of the inner wall of the residence in which the door jamb is mounted, . . ." See Claim 7.

Eisenring and Adams fail to teach ". . . said first element comprises an extruded tubular element." See Claim 8.

Eisenring and Adams fail to teach ". . . said second element comprises an extruded tubular element." See Claim 9.

Eisenring and Adams fail to teach ". . . the upper end of each of said side jambs and outer ends of said head jamb are connected using a corner key. See Claim 10.

Eisenring and Adams fail to teach ". . . said upright side jambs and said head jamb each being constructed of a first tubular element, a second tubular element and an intermediate element; . . ." See Claim 11.

Eisenring and Adams fail to teach ". . . said first element comprising an elongated structure having a thickened portion adapted to serve as a decorative strip disposed along said opening and an elongated portion of reduced thickness, . . ." See Claim 11.

For all of the afore stated reasons the present invention is patentable over the Eisenring and Adams references and Applicant respectfully requests early notice of allowance.

Claims 13-18 were rejected over Eisenring, Adams and Peterson.

Eisenring discloses a steel component door case having two frame components each of which are an L-shaped sheet of steel, see drawing numbers 1 and 2. One leg of the L-shaped sheets of steel extends into an H-shaped polyvinyl chloride connecting component 6.

U. S. Patent No. 5,941,033 (Adams) discloses window trim and doesn't disclose to a door jamb. The Adams window trim includes an outer member and an inner member. The members are extruded essentially L-shaped vinyl. The one member projects into a small pocket in the other member and the members are thereby secured together. There is no teaching that Eisenring and Adams can or should be combined.

U. S. Patent No. 5,048,997 (Peterson) discloses a flexible corner piece for a spacer frame for insulated glass panel. Peterson does not disclose a door jamb and does not disclose that the device of the Peterson patent can be used in door jambs.

The Eisenring, Adams and Peterson references, individually and collectively, fail to teach the present invention. Eisenring, Adams and Peterson collectively fail to teach or make obvious: ". . . said third element being S-shaped in cross section thereby providing a first cavity opening toward said first member and a second cavity opening toward said second member, said first cavity receiving a portion of said first member and said second cavity receiving a portion of said second member thereby interconnecting said first and second elements and providing means for adjusting the width of said jambs." See Claim 13.

Eisenring, Adams and Peterson collectively fail to teach or make obvious: ". . .said side jambs comprise a first element, a second element and a third element, said first element comprising an elongated tubular structure having a decorative portion, a structural portion and a portion for engagement with said third element; . . ." See Claim 14.

Eisenring, Adams and Peterson collectively fail to teach or make obvious: "... said second element being an elongated tubular structure having an exposed surface adapted for alignment with the surface of the inner wall of the residence in which the door jamb is mounted, said second element having a portion adapted for engagement with said third element, said third element [portion being adapted for] securing said first element and said second element together as a single unit." See Claim 14.

Eisenring, Adams and Peterson collectively fail to teach or make obvious: "... one of said elements includes a plurality of walls defining an S-shaped cavity for reception of a portion of the other element for securing said elements together as a unit. See Claim 15.

Eisenring, Adams and Peterson collectively fail to teach or make obvious: "... said horizontal head jamb and said side jambs each including an outer element, inner element and an S-shaped intermediate element, said intermediate element serving to interconnect said outer element and said inner element." See Claim 16.

Eisenring, Adams and Peterson collectively fail to teach or make obvious: "... a first element, a second element and a third element, said third element having walls defining an S-shaped track, said track including a first portion facing said first element and a second portion facing said second element, said first and second elements each including a portion at least partially disposed within said track, said second element being selectively positioned within said track to provide a desired depth of the door jamb. See Claim 17.

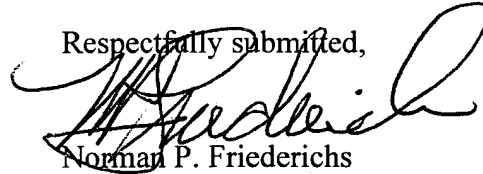
Eisenring, Adams and Peterson, individually and collectively, fail to teach or make obvious: "... said inner structural element being an elongated structure having an inner exposed surface aligned with the surface of the inner wall of the residence in which the door jamb is

mounted, . . ." See Claim 18.

CONCLUSIONS:

Applicants submit the present claims 1-18, as amended, patentably define the present invention over the art of record. Applicants respectfully request early allowance of the present application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "N. Friederichs", written over the printed name.

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